

## Message Text

CONFIDENTIAL

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ACTION SS-25

INFO OCT-01 ISO-00 SSO-00 /026 W

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P 141230Z NOV 74

FM AMEMBASSY SAN JOSE

TO SECSTATE WASHDC PRIORITY 8573

CONFIDENTIAL SAN JOSE 4339

EXDIS

E.O. 11652: GDS

TAGS: PFOR, PGOV, CS

SUBJECT: EXTRADITION BILL TIMETABLE

REF: SAN JOSE 4212, STATE 240583

1. OPPOSITION DEPUTY INFORMED EMBASSY TODAY (NOVEMBER 13) THAT NEW EXTRADITION BILL WILL CERTAINLY NOT BE PASSED INTO LAW DURING THIS SESSION. FAMILY ASSISTANCE BILL DEBATE HAS BOGGED DOWN IN DEBATE OVER AMENDMENTS AND PRO-EXTRADITION BILL FORCES LACK VOTES TO CUT OFF THIS POLITICALLY SENSITIVE DEBATE AND FORCE ACTION ON EXTRADITION BILL. MOREOVER, AS BUDGET BILL MUST BE CONSIDERED AND VOTED BY ASSEMBLY BY NOVEMBER 30 OR THE GOVERNMENT'S BILL AUTOMATICALLY BECOMES LAW THOSE DEPUTIES WHO ARE INTERESTED IN A PROMPT EXTRADITION BILL DEBATE HAVE IN EFFECT HAD TO CHOOSE BETWEEN THE BUDGET BILL AND THE EXTRADITION BILL. GIVEN THE TIME PRESSURE THEY WERE LEFT LITTLE CHOICE BUT TO ELECT TO BEGIN DEBATE ON THE BUDGET. THIS DEBATE WILL BEGIN NOVEMBER 14 AND THE FAMILY ASSISTANCE BILL WILL BE POSTPONED UNFINISHED TO THE EXTRAORDINARY SESSION WHICH BEGINS IN MID-DECEMBER AND WHERE ONLY THE EXECUTIVE BRANCH CAN PROPOSE AGENDA ITEMS. THE EXTRADITION BILL WILL NOT BE CONSIDERED UNTIL THE NEXT REGULAR SESSION COMMENCES ON MAY 1, 1975.

2. EMBASSY HYPOTHECTICALLY ASKED DEPUTY, WHO IS ALSO CONFIDENTIAL

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EMINENT PENAL LAWYER, IF HE THOUGHT AN EXTRADITION

ATTEMPT WOULD SUCCEED IF PRESENTED UNDER THE PRESENT "VESCO LAW." HE SAID HE SAW VERY LITTLE CHANCE FOR ANY SUCCESS AS THE COURTS ARE PRACTICALLY OBLIGED UNDER THE CURRENT LAW TO REJECT A REQUEST FOR VESCO ON THE KINDS OF GROUNDS THE U.S. WOULD BE EXPECTED TO BASE ITS CASE. IN ANY EVENT, HE COUNSELED VERY CAREFUL STUDY OF THE LAW, TREATY, AND INTENDED CASE BEFORE PROCEEDING. HE ADDED THAT PRESIDENT ODUBER IS PLAYING A VERY SKILLFUL GAME BY TAKING THE POSITION THAT HE WILL ACT (TO EXTRADITE VESCO) IN ACCORDANCE WITH THE COURT'S DECISION, KNOWING THE COURT MUST FIND HIM NON-EXTRADITABLE.

LANE

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